

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, THE STATE :  
OF CALIFORNIA, THE STATE OF :  
DELAWARE, THE STATE OF FLORIDA, :  
THE STATE OF GEORGIA, THE STATE OF :  
HAWAII, THE STATE OF ILLINOIS, THE :  
STATE OF INDIANA, THE STATE OF :  
LOUISIANA, THE STATE OF MICHIGAN, :  
THE STATE OF MONTANA, THE STATE OF :  
NEVADA, THE STATE OF NEW JERSEY, :  
THE STATE OF NEW MEXICO, THE STATE :  
OF NEW YORK, THE STATE OF :  
OKLAHOMA, THE STATE OF RHODE :  
ISLAND, THE STATE OF TENNESSEE, THE :  
STATE OF TEXAS, THE STATE OF :  
WISCONSIN, THE COMMONWEALTH OF :  
MASSACHUSETTS, THE :  
COMMONWEALTH OF VIRGINIA, the :  
DISTRICT OF COLUMBIA, the CITY OF :  
CHICAGO, THE STATE OF CONNECTICUT, :  
THE STATE OF COLORADO, THE STATE :  
OF MARYLAND, THE STATE OF IOWA, :  
THE STATE OF WASHINGTON ex rel. :  
CHARLES STRUNCK and LISA PRATTA, :  
individually and Relator, :

Civil Action No. 12-CV-175 (BMS)

Plaintiffs,

v.

MALLINCKRODT ARD, INC. (formerly known :  
as Questcor Pharmaceuticals, Inc., a California :  
corporation), AND MALLINCKRODT plc, an :  
Irish public limited company :

Defendants.

**STIPULATED BRIEFING SCHEDULE**

Plaintiff United States of America, Relators Charles Strunck and Lisa Pratta, and  
Defendants Mallinckrodt ARD, Inc. (formerly known as Questcor Pharmaceuticals, Inc.)

and Mallinckrodt plc (collectively, "Mallinckrodt"), by and through their undersigned counsel, hereby stipulate and agree as follows:

1. Relators Strunck and Pratta filed their original complaint in this action under seal on January 17, 2012, and filed three subsequent amended complaints thereafter. The most recent amended complaint, the Fourth Amended Complaint, was filed under seal on June 13, 2017. (ECF No. 40.)

2. On March 7, 2019, the United States filed its Notice of Intervention and, on March 8, 2019, the Court ordered that Relators' Fourth Amended Complaint and the United States' Notice of Intervention be unsealed. (ECF Nos. 55, 56.) The original complaint, the First Amended Complaint, the Second Amended Complaint, and the Third Amended Complaint remain under seal.

3. On June 4, 2019, the United States filed its Complaint-in-Intervention. (ECF 57.)

4. On June 10, 2019, Mallinckrodt executed waivers of service provided by the United States and Relators' counsel. Mallinckrodt reserves all rights, defenses, or other objections, other than insufficient process or insufficient service of process. Mallinckrodt's response to the United States' Complaint-in-Intervention is currently due on August 5, 2019.

5. Mallinckrodt anticipates that it will move to dismiss Relators' Fourth Amended Complaint and the United States' Complaint-in-Intervention.

6. Mallinckrodt shall have until August 19, 2019 to respond to Relators' Fourth Amended Complaint and to the United States' Complaint-in-Intervention, whether by answer, motion or otherwise.

7. The United States and Relators shall have until September 24, 2019 to file their respective responses to any motions to dismiss filed by Mallinckrodt.

8. Mallinckrodt shall have until October 3, 2019 to file a reply in support of any motions to dismiss that it files.

9. Mallinckrodt has not previously requested an extension of time to respond to the Relators' complaint or to the United States' Complaint-in-Intervention. No party has previously requested an extension of time to file briefs in support of or in opposition to motions to dismiss.

10. Nothing in this Stipulation shall affect the circumstances under which the United States may amend its Complaint-in-Intervention pursuant to Federal Rule of Civil Procedure 15 ("Rule 15"), or the applicability of Rule 15 to any such amendment.

STIPULATED TO BY:

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Attorneys for Relators Charles Strunck and  
Lisa Pratta

SO ORDERED:  


BERLE M. SCHILLER, J.  
United States District Court Judge

6-13-19